

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**ISRAEL BACA,**

**Petitioner,**

**v.**

**No. 20-cv-0886 KG-JHR**

**No. 18-cr-3067 KG-JHR**

**UNITED STATES OF AMERICA,**

**Respondent.**

**ORDER TO SUBMIT STIPULATION OR ANSWER**

This matter is before the Court on Petitioner Israel Baca's Unopposed Amended Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 (CV Doc. 24) (Amended Motion). Baca filed the Amended Motion through his counsel, Andre Poissant. He seeks to vacate his 18 U.S.C. § 924(c) firearm conviction under *United States v. Taylor*, 142. S. Ct. 2015 (2022). It appears the United States agrees *Taylor* impacts Baca's § 924(c) conviction and that he should be resentenced. The parties intend to discuss whether they can agree on a new proposed sentencing range prior to any resentencing.

Assuming relief is unopposed under *Taylor* and § 2255, **IT IS ORDERED** that within thirty (30) days of entry of this Order: (1) the parties shall meet and confer regarding a proposed sentencing range, if any; and (2) counsel for Baca shall submit to the assigned District Judge a Stipulated Order granting the Amended Motion, signed by representatives for both parties. If the Stipulated Order is entered, the Court will draft its own separate judgment, writ, and/or notice setting a hearing date.

**IT IS FURTHER ORDERED** that if the United States opposes relief, it must file an

answer within thirty (30) days of entry of this Order. The answer should address the Amended Motion, which is now the controlling pleading in this case.

A handwritten signature in black ink, appearing to read "J H R", is positioned above a horizontal line.

JERRY H. RITTER  
UNITED STATES MAGISTRATE JUDGE